

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|--------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | 8:05CR97 |
| |) | |
| THOMAS L. FLEMING, |) | ORDER |
| |) | |
| Defendant. |) | |

Before the court is the government's Consent Motion to Continue Rule 11 Hearing [38]. Good cause being shown, the motion will be granted and the change of plea hearing on defendant Thomas L. Fleming will be rescheduled.

IT IS ORDERED:

1. That the Consent Motion to Continue Rule 11 Hearing [38] is granted; and
2. That the Change of Plea hearing is continued to **August 11, 2005 at 3:00 p.m.** before Magistrate Judge F.A. Gossett, Courtroom No. 6, Second Floor, Roman L. Hruska U.S. Courthouse, 111 So. 18th Plaza, Omaha, Nebraska.

For this defendant, the time between **August 1, 2005** and the **hearing** on the anticipated plea of guilty **is excluded** for purposes of computing the limits under the Speedy Trial Act. **See** 18 U.S.C. § 3161(h)(1)(I)&(h)(8)(A)(B).

Since this is a criminal case, the defendant must be present, unless excused by the Court.

DATED this 2nd day of August, 2005.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge